

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
vs.) Case No. 1:07-cr-62
DENNIS R. BEST) JUDGE MATTICE
ROBERT KLEIN) MAGISTRATE JUDGE LEE
THOMAS J. KELL)

MEMORANDUM & ORDER
ARRAIGNMENT ON THE SUPERSIDING INDICTMENT

In accordance with Rule 10 of the Federal Rules of Criminal Procedure, the arraignment of the defendants DENNIS R. BEST, ROBERT KLEIN and THOMAS J. KELL on the superseding indictment returned by the Grand Jury was held before the undersigned on May 22, 2007.

Those present for the hearing included:

- (1) Assistant U.S. Attorney James Brooks for the USA.
- (2) Defendant DENNIS R. BEST.
- (3) Attorney Rita LaLumia with Federal Defender Services of Eastern Tennessee for defendant Best.
- (4) Defendant ROBERT KLEIN.
- (5) Attorney Samuel F. Robinson, III for defendant Klein.
- (6) Defendant THOMAS J. KELL.
- (7) Attorney Robert D. Philyaw for defendant Kell.
- (8) Deputy Clerk Pam Scott.
- (9) Court reporter Shannan Andrews.

After being sworn in due form of law, the defendants were informed or reminded of their privilege against self-incrimination accorded them under the 5th Amendment to the United States Constitution.

Each of the defendants acknowledged having been provided with a copy of the superseding indictment and having the opportunity of reviewing the superseding indictment with their respective attorneys. Each of the defendants waived a formal reading in open court of the superseding indictment and entered a plea of not guilty to each count of the superseding indictment.

Presently, the case is assigned the dates set forth in a separate Modified Discovery and Scheduling Order.

ENTER.

s/Susan K. Lee

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE